IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 16TH MARCH 2007 / 25TH PHALGUNA 1928

WP(C).No. 13023 of 2004(A)

PETITIONER:

JAYARAJAN, S/O. KOMBI,
EDASSRI PARAMBU, THIRUVAZHIYAD AMSOM,
AYILUR, CHITTUR TALUK, PALAKKAD DISTRICT.

BY ADV. SRI.G.HARIHARAN

RESPONDENTS:
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1. JOINT REGIONAL TRANSPORT OFFICER,
ALATHUR, PALAKKAD DISTRICT.

2. STATE OF KERALA, REPRESENTED BY THE
TRANSPORT COMMISSIONER, TRANSPORT BHAVAN,
THIRUVANANTHAPURAM.

3. K. SAJI, S/O. PRABHAKARAN,
EDASSERY PARAMBU, THIRUVAZHIYADU,
AYILUR, CHITTUR TALUK, PALAKKAD DISTRICT.

4. SUB INSPECTOR OF POLICE,
NEMMARA, PALAKKAD DISTRICT.

***5. A. SURESH KUMAR,**
S/O. ANRAJI, RESIDING AT
CHANDRAPPA MUDALI STREET,
SOWCARPET, CHENNAI.

***ADDL. R5 IS IMPLEADED AS PER ORDER DATED 19/05/04 IN IA NO. 5910/2004.**

BY GOVERNMENT PLEADER SMT. K.R.DEEPA
SRI.V.CHITAMBARESH
SRI.T.C.SURESH MENON
SRI.SREEKANTH.K.R
SMT.G.GEETHISHA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 16/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 13023/2004 A

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE LAWYER NOTICE DT. 10/08/03 SENT BY THE PETITIONER TO R1.

EXT.P2. COPY OF THE EXTRACT OF REGISTRATION PARTICULAR OF VEHICLE NO. KL 9G/2705 ISSUED BY THE R1 ON 29/11/03.

EXT.P3. COPY OF THE TEMPORARY INJUNCTION FILED BY THE PETITIONER AND THE ORDERS MADE THEREIN BY THE MUNSIFF COURT,CHITTUR.

EXT.P4. COPY OF THE CHECK REPORT DT. 24/3/04 ISSUED BY AN ASST. MOTOR VEHICLE INSPECTOR ATTACHED TO THE R1 OFFICE EVIDENCING SEIZURE OF PETITIONER'S VEHICLE.

EXT.P5. COPY OF THE CIRCULAR NO. 25/98 DT. 11/08/98 ISSUED BY TRANSPORT COMMISSIONER.

RESPONDENT'S EXHIBITS

EXT.R5A. COPY OF THE PLIANT IN OS NO. 42/04 ON THE FILE OF THE COURT OF THE MUNSIFF OF CHITTUR DT. 16/1/2004.

EXT.R5B. COPY OF THE IA NO. 718/04 FILED IN SUIT DT. 26/3/04.

True copy

tga

KURIAN JOSEPH, J.

W.P(C)No.13023 of 2004

Dated this the 16th day of March, 2007

JUDGMENT

In the matter of acceptance of motor vehicles tax in respect of vehicle bearing Reg.No.KL 9 G 2705, the issue cannot be finally resolved unless O.S.No.42/2004 on the file of the Munsiff Court, Chittur is disposed of. There will be a direction to the Munsiff Court, Chittur to dispose of O.S.No.42/2004 within a period of four months from the date of receipt of a copy of this judgment. The fate of the interim orders passed by this court will depend on the outcome of the civil suit.

The writ petition is disposed of as above.

(KURIAN JOSEPH, JUDGE)

ahg.